## $_{\text{JS 44}}\text{ (Rev. 10/20)} \text{ Case 1:21-cv-01047-FB-MMH} \\ \text{CPCLITED LLR} \text{ Filed C2/26/21} \quad \text{Page 1 of 2 PageID \#: 18}$

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS				DEFENDANTS	S DOD	TECK IOG DED TEK	0.01.00		
LIANG YANG, Individually and on behalf of all others similarly situated  (b) County of Residence of First Listed Plaintiff King, WA  (EXCEPT IN U.S. PLAINTIFF CASES)				TRUST FOR ADVISED PORTFOLIOS, INFINITY Q CAPITAL MANAGEMENT LLC, CHRISTOPHER E. KASHMERICK, JOHN C. CHRYSTAL, ALBERT J. DIULIO, S.J., HARRY E. RESIS, RUSSELL B. SIMON, LEONARD POTTER, and JAMES VELISSARIS County of Residence of First Listed Defendant					
				(IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.					
(c) Attorneys (Firm Name, Address, and Telephone Number)				Attorneys (If Known)	. 01 2.1.				
Phillip Kim, The Rosen Law Firm, P.A. 275 Madison Avenue, 40th Floor, New York, NY 10016 Telephone: (212) 686-1060									
II. BASIS OF JURISD	ICTION (Place an "X" in G	One Box Only)		TIZENSHIP OF P	RINC				
1 U.S. Government				TF 1	DEF  1 Incorporated or Print of Business In Tl		Defendant) PTF  4	DEF	
2 U.S. Government 4 Diversity Defendant (Indicate Citizenship of Parties in Item III)		Citize	Citizen of Another State		2 Incorporated <i>and</i> Proof Business In Ar		5	<u>5</u>	
				n or Subject of a eign Country	3	3 Foreign Nation		<u> </u>	6
IV. NATURE OF SUIT (Place an "X" in One Box Only)				Click here for: <u>Nature of Suit Code Descriptions</u> .					
	CONTRACT TORTS		FORFEITURE/PENALTY			BANKRUPTCY	375 False Claims Act		
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise  REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury - Medical Malpractice  CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 448 Education	PERSONAL INJURY  365 Personal Injury - Product Liability  367 Health Care/ Pharmaceutical Personal Injury Product Liability  368 Asbestos Personal Injury Product Liability  PERSONAL PROPERI  370 Other Fraud  371 Truth in Lending  380 Other Personal Property Damage Product Liability  PRISONER PETITION Habeas Corpus:  463 Alien Detainee  510 Motions to Vacate Sentence  530 General  535 Death Penalty Other:  540 Mandamus & Othe 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of	74 75 79 79	5 Drug Related Seizure of Property 21 USC 881 0 Other  LABOR D Fair Labor Standards Act D Labor/Management Relations Relations Railway Labor Act 1 Family and Medical Leave Act Other Labor Litigation 1 Employee Retirement Income Security Act  IMMIGRATION 2 Naturalization Application 5 Other Immigration Actions	42   PR(   82   83   83   84   86   86   86   86   86   87   87   87	22 Appeal 28 USC 158 33 Withdrawal 28 USC 157  OPERTY RIGHTS 40 Copyrights 40 Patent 41 Patent 42 Patent 43 Patent 44 Patent 45 Patent 46 Defend Trade Secrets 47 Act of 2016  OCIAL SECURITY 47 HIA (1395ff) 48 SID Title XVI 48 SID Title XVI 48 SID Title XVI 57 RSI (405(g))  DERAL TAX SUITS 40 Taxes (U.S. Plaintiff 41 or Defendant) 41 IRS—Third Party 42 USC 7609	376 Qui Ta 3729(a 400 State R 410 Antitru 430 Banks 450 Comm 460 Deport 470 Racket Corrup 480 Consun (15 US 485 Teleph Protec 490 Cable/X X 850 Securit Excha 890 Other S 891 Agricu 893 Enviro 895 Freedo Act 896 Arbitra 899 Admin Act/Re	m (31 US: b)) teapportion teap	nnment ing nnced and ations t r 1692) umer  nodities/ Actions s Matters rmation  Procedure ppeal of
V. ORIGIN (Place an "X" in	n One Box Only)	Confinement							
x 1 Original 2 Rer	moved from 3 I	Remanded from Appellate Court	4 Reins Reop	ened Anothe	er Distric	ct Litigation - Transfer		Multidis Litigatio Direct I	on -
VI. CAUSE OF ACTION	15 U.S.C. §§78j(b) and	tute under which you are 78t(a) and Rule 10b-5 p							
	Brief description of car Violations of the federa								
VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.				EMAND \$ CHECK YES only if demanded in complaint:  JURY DEMAND: Yes No					
VIII. RELATED CASI IF ANY	E(S) (See instructions):	JUDGE			D(	OCKET NUMBER			
DATE 2/26/2021		SIGNATURE OF ATT	ORNEY C	F RECORD					
FOR OFFICE USE ONLY		1							
				JUDGE	JUDGE MAG. JUDGE				

## Case 1:21-cv-0104**7ERE NINGATION (OF NARBITRIA TION) ENZIGIBADETX** of 2 PageID #: 19 Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed. Case is Eligible for Arbitration I, Phillip Kim Plaintiff Liang Yang , do hereby certify that the above captioned civil action is ineligible for counsel for compulsory arbitration for the following reason(s): monetary damages sought are in excess of \$150,000, exclusive of interest and costs, the complaint seeks injunctive relief, the matter is otherwise ineligible for the following reason **DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1** Identify any parent corporation and any publicly held corporation that owns 10% or more or its stocks: RELATED CASE STATEMENT (Section VIII on the Front of this Form) Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court." NY-E DIVISION OF BUSINESS RULE 50.1(d)(2) 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? Yes No 2.) If you answered "no" above: a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? Νo b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? Yes No c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received: If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? (Note: A corporation shall be considered a resident of the County in which it has the most significant contacts). **BAR ADMISSION** I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court. ~ Yes No Are you currently the subject of any disciplinary action (s) in this or any other state or federal court? / Yes (If yes, please explain No I certify the accuracy of all information provided above.

Signature: /s/Phillip Kim

Last Modified: 11/27/2017